

REMARKS

Claims 1-6 are pending and under examination in this application. With the Amendment, new claims 2-6 have been added.

Claim 1 has been rejected under 35 U.S.C. § 112, second paragraph. We have prepared an Amendment for claim 1 which we believe will overcome the rejection of the Examiner under 35 U.S.C. § 112, second paragraph.

Claim 1 has been rejected under 35 U.S.C. § 103(a) as unpatentable for obviousness over Partridge (USP 2,287,270) in view of Sullivan (USP 6,213,895). Partridge is an early patent which discloses a mold with a lubricant and method of molding rubber articles. The method is directed to making golf ball cores with a one-piece rubber cover. The improvement consists of a mold lubricant which is a suspension of zinc stearate or zinc oleate with a minor proportion of zinc oxide in water. In the present application it is necessary to eliminate the presence of a zinc salt of unsaturated carboxylic acid in the outer layer of the center core. However the innermost portion of the core may contain a zinc salt of unsaturated carboxylic acid or ester of carboxylic acid. The zinc contributes to the ability of the golf ball made in this manner to carry a distance, which is desirable, but the presence of zinc should be avoided in the outer layer of the center

core because the presence of zinc interferes with the release of the center width outer layer from the mold. This is not disclosed or suggested in either of the references, which the Examiner relies upon under 35 U.S.C. § 103(a). Likewise, the prior art which the Examiner has made of record but not relied upon is lacking in the essential feature claimed in claim 1 of the present application and upon which the further claims are dependent. The method of the primary reference involves using a mold lubricant, which contains zinc or a zinc metal salt of a carboxylic acid or a zinc oxide. Use of these zinc materials in the method of the present application is shown in the specification to be undesirable and by comparative testing in the examples the presence or absence of the zinc metal salt in the outermost layer of the core is disclosed and not suggested in any of the references relied upon by the Examiner or noted as pertinent.

Reconsideration of the rejection of this application is respectfully solicited in view of the previous argument and the present Amendment.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

requested to contact Edward H. Valance (Reg. No. 19,896) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of two (2) months to March 6, 2004 in which to file a reply to the Office Action. The required fee of \$420.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s) :